

The opinion in support of the decision being entered today was *not* written for publication and is *not* binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JOZEPH W. TRIEPELS, ROEL H. L. KUSTERS,
FRANSISCUS G. C. VERWEG, HENRI S. A. HANDELS,
MARCEL S. B. BACHUS, and JOHANNES W. J. M. SCHEUERMANN

Appeal 2007-0462
Application 09/519,547
Technology Center 2800

Decided: April 19, 2007

Before KENNETH W. HAIRSTON, JOSEPH L. DIXON, and
LANCE LEONARD BARRY, *Administrative Patent Judges*.
DIXON, *Administrative Patent Judge*.

DECISION ON APPEAL

This is a decision on appeal under 35 U.S.C. § 134 from the Examiner's final rejection of claims 1-3 and 5-10.

We AFFIRM.

BACKGROUND

Appellants' invention relates to a display device having a conductor pattern for connecting pixels in an electrically conducting manner (Spec., page 1, ll. 1-3). An understanding of the invention can be derived from a reading of exemplary claim 1, which is reproduced below.

1. A display device comprising a first substrate having a conductor pattern for connecting pixels in an electrically conducting manner, and electrically conducting connections between the pattern and conducting tracks on a support, at least one said conducting connection comprising a resilient connection pin which provides a variable-pressure metal-metal contact, in which each metal of the metal-metal contact is chosen from the group of gold, silver and nickel.

PRIOR ART

The prior art references of record relied upon by the Examiner in rejecting the appealed claims are:

LAZZERY	US 4,012,117	Mar. 15, 1977
LIGHTBODY	US 4,528,500	Jul. 9, 1985
IGUCHI	US 5,233,451	Aug. 3, 1993
HIRAMOTO	US 5,847,783	Dec. 8, 1998

REJECTIONS

Claims 1-3, 6, 8, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lazzery in view of Lightbody.

Claims 5 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lazzery in view of Lightbody as applied to claim 1 above, and further in view of Hiramoto.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lazzery in view of Lightbody as applied to claim 1 above, and further in view of Iguchi.

Rather than reiterate the conflicting viewpoints advanced by the Examiner and the Appellants regarding the above-noted rejection, we make reference to the Examiner's Answer (mailed Feb. 25, 2004) for the reasoning in support of the rejections, and to Appellants' Brief (filed Aug. 5, 2003) for the arguments thereagainst.

OPINION

In reaching our decision in this appeal, we have given careful consideration to Appellants' Specification and claims, to the applied prior art references, and to the respective positions articulated by Appellants and the Examiner. As a consequence of our review, we make the determinations that follow.

From our review of the Examiner's rejection and responsive arguments in the Examiner's Answer, we find that the Examiner has established a prima facie case of obviousness of the claimed invention and we look to Appellants' Brief to show error therein. While the Examiner finds the teachings of Lazzery to be deficient with respect to teaching a resilient pin which provides variable pressure metal to metal contact, we find that Lazzery does have two rubber pins (rolling pin type, see col. 2, ll. 46-55), 24, which are resilient and provide metal-to-metal contact between the conducting connections on the first substrate and the conducting tracks on the support. Additionally, we find each of the rubber pins would provide variable pressure depending upon the compression of the resilient material.

We find independent claim 1 does not set forth the specific orientation of the pin or the number of pins. Therefore, we find that Lazzery alone teaches all of the limitations of independent claim 1.

Turning to the combination of Lazzery and Lightbody as applied by the Examiner, the Examiner maintains that each of the resilient contacts of Lazzery is equivalent to one contact pin in the test system of Lightbody and that it would have been obvious to one skilled in the art at the time of the invention to have replaced the resilient connection of Lazzery with the resilient pins taught by Lightbody for connection between two substrates (Answer 7). We find the reasoning of the Examiner to be reasonable in light of the teachings of Lazzery and Lightbody.

Appellants argue that the conductor of Lazzery is more complex than Appellants' connection pin and Lazzery lacks the advantage of added contact reliability from variable-pressure metal-to-metal contact (Br. 4). We do not find support in the express language of independent claim 1 for these arguments. Therefore, Appellants' arguments are not persuasive.

Appellants argue that the pins of Lazzery and the pins of Lightbody function in substantially different ways and that it would not have been obvious to one skilled in the art at the time of the invention to have replaced one pin with the other pin (Br. 5-6). While we agree with Appellants that the end application of the two inventions of Lazzery and Lightbody are not the same, it is the aspect of forming a connection between two substrates which is being suggested by Lightbody. Here, we find that the Examiner's rationale is sufficiently well reasoned in light of the teaching of Lightbody that the structure of the array need not be set and can be varied "as the needs of the customer dictate" (col. 3. ll. 16-21) and that the disclosed array is

universal for optimal usage (col. 2, ll. 55-56). We find it well within the level of ordinary skill to make a window frame structure to hold the resilient pins with variable pressure in the needed positions as taught and suggested by Lazzery. Therefore, Appellants' argument is not persuasive. Appellants argue that it would require a large effort on the part of a skilled artisan to modify the Lightbody structure to achieve the result. (Br. 6). We disagree with Appellants as discussed above. We find it well within the level of ordinary skill to remove the center area of the array of Lightbody to use either a window frame structure or two linear arrays of contact pins. Therefore, Appellants' argument is not persuasive.

Appellants argue that clamping is required in Lazzery and that this requirement would prevent skilled artisans from having the requisite motivation for the combination (Br. 7). We disagree with Appellants and find that it would have been within the level of skill of artisan at the time of the invention to have modified the interconnection of the substrates. Appellants conclude that the Examiner has relied upon impermissible hindsight to reconstruct the claimed invention (Br. 7). We disagree with Appellants, and we find that the Examiner has provided a reasoned conclusion, as amplified upon here, as to the combined teachings and suggestion of Lazzery and Lightbody. Therefore, Appellants' argument is not persuasive, and we will sustain the rejection of independent claim 1 and claims 2, 3, 6, 8, and 10 grouped therewith by Appellants.

With respect to dependent claims 5, 7, and 9, Appellants rely upon the same reasoning advanced with respect to independent claim 1. Since we did not find those arguments persuasive with respect to independent claim 1, we

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similarly do not find those arguments persuasive here, and we will sustain the rejection of claims 5, 7, and 9.

CONCLUSION

To summarize, we have sustained the rejections of claims 1-3 and 5-10 under 35 U.S.C. § 103(a).

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a)(1)(iv).

AFFIRMED

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